

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BARNWELL COUNTY
Court of Common Pleas

Clifton Newman, Circuit Court Judge

Case No. 2018-CP-06-00383

RECEIVED

Apr 27 2020

SC Court of Appeals

United States of America Respondent,

v.

Edgar Payton, Willie Payton, Hattie Payton, F. Hamilton Dicks, III,
the United States of America, acting through the Small Business
Administration, successors in interest to Still & Williams, Inc.,
SC Electric & Gas Co., and David Payton Defendants,

Of Whom, Edgar Payton is Appellant,

**RESPONDENT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

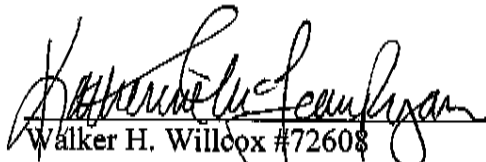
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Respondent proposes to include the following in the Record on Appeal:

1. Amended Complaint Non-Jury Mortgage Foreclosure filed October 30, 2018;
2. Eddie Payton's Answer and Counterclaim to Amended Complaint filed January 4, 2019;
3. Answer & Counterclaim/Cross Claim of Willie Payton, Hattie Payton and David Payton filed January 10, 2019;
4. Reply to Eddie Payton's Counterclaim filed January 14, 2019;
5. Reply to Defendant Willie Payton, Hattie Payton, and David Payton's Counterclaims filed January 29, 2019;
6. Motion to Strike Request for Jury Trial and Motion to Refer filed March 28, 2019;
7. Memorandum in Support of Plaintiff's Motion to Strike and Refer filed May 10, 2019;
8. Transcript of Hearing dated May 13, 2019;
9. Order Granting Plaintiff's Motion to Strike Request for Jury Trial and to Refer filed August 16, 2019;
10. Defendant's Joint Notice of Motion and Motion to Alter or Amend filed August 26, 2019 (brief only);
11. Order Denying Motion to Alter or Amend filed September 9, 2019.

I certify that this designation contains no matter which is irrelevant to this appeal.

April 27, 2020



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the United States of America, acting through the Small Business
Administration, successors in interest to Still & Williams, Inc.,
SC Electric & Gas Co., and David Payton Defendants,

Of Whom, Edgar Payton isAppellant,

PROOF OF SERVICE

I certify that on April 27, 2020, I served the **Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal** on the *Defendants*, through their attorneys of record, by depositing a copy of same in the United States Mail, postage prepaid, to:

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April 27, 2020

By: 
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April 27, 2020

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 HONORABLE JENNY ABBOTT KITCHINGS
 CLERK OF COURT
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 PO BOX 11629
 COLUMBIA, SC 29211

RECEIVED
Apr 27 2020
SC Court of Appeals

Re: United States of America v. Edgar Payton, Willie Payton, Hattie Payton, F. Hamilton Dicks, III, the United States of America, acting through the Small Business Administration, successors in interest to Still & Williams, Inc., SC Electric & Gas Co., and David Payton
 Civil Case No: 2018-CP-06-00383

Dear Ms. Kitchings:

Enclosed please find an original and one copy of Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal in connection with the above appeal. Please return a filed copy to me in the enclosed envelope.

Should you have any questions or concerns, please contact me at (843) 662-3258.

With kindest regards,



Katherine McLean Ryan
 Email: kryan@WillcoxLaw.com

Enclosures

Cc: Daniel W. Williams
 Martha M. Rivers
 Matthew J. Modica
 Jay E. Bressler

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April 27, 2020

TO: The Honorable Jenny Abbott Kitchings

FAX NUMBER: (803) 734-1839

FROM: Anita Matthews, Paralegal

TOTAL PAGES: (Including This One): 19

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